

JOEL R. DICHTER (NY State Bar) (admitted *Pro Hac Vice*)
DEREK LINKE (WA State Bar No. 38314) (admitted *Pro Hac Vice*)
NEWMAN DICHTER LLP
505 Fifth Avenue South, Suite 610
Seattle, WA 98104
Telephone: (206) 274-2800
Facsimile: (206) 274-2801
Email: joel@newmandichter.com
linke@newmandichter.com

KATHRYN S. DIEMER, CA State Bar No. 133977
DIEMER, WHITMAN & CARDOSI, LLP
75 East Santa Clara, Suite 290
San Jose, California 95113
Telephone: (408) 971-6270
Facsimile: (408) 971-6271

Attorneys for John A. Russo

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

John A. Russo, an individual,

Plaintiff,

v.

NETWORK SOLUTIONS, INC., a -foreign
corporation INFO AVENUE INTERNET
SERVICES, LLC, a foreign company, aka
Sprint Telecom, LLC and IAREgistry, eNom,
Inc., a foreign corporation, Nameview, Inc, a
foreign corporation, DOMAIN DELUXE, a
Hong Kong entity, JOHN DOES 1 – 10,
inclusive

Defendants.

Case No. C 07 3401 MMC

STIPULATION. AND ORDER

Pursuant to Civil L.R. 6-2, Plaintiff John A. Russo and Defendant Domain Deluxe hereby stipulate to and respectfully request the Court enter an order modifying time in this matter as follows:

1. Enlarging Plaintiff Russo's time to file a declaration in support of his Opposition

1 to Domain Deluxe's Motion to Set Aside (Dkt. No. 130) to no later than
2 September 12, 2008;

3 2. Enlarging Defendant Domain Deluxe's time to file and serve its reply, if any, in
4 support of its Motion to Set Aside Default (Dkt. No. 128) until September 19,
5 2008; and

6 3. Continuing the hearings on Plaintiff's Motion for Default Judgment (Dkt. No. 118)
7 from September 26, 2008 to October 3, 2008 and on Defendant Domain Deluxe's
8 Motion to Set Aside Default (Dkt. No. 128) from September 26, 2008 to October
9 3, 2008.

10 The parties request the foregoing time modifications for the following reasons:

11 First, Plaintiff Russo and his counsel had technical difficulties and were unable to obtain
12 an executed copy of the signature page for Russo's Declaration in Support of his Opposition to
13 Domain Deluxe's Motion to Set Aside until after the midnight filing deadline for that opposition
14 on Friday, September 5, 2008.

15 Second, Plaintiff's primary trial counsel will not be available to attend the hearings
16 currently set for argument on September 26, 2008. The motions set for hearing are essentially
17 dispositive in nature and Russo and his lead attorney would like to appear. Domain Deluxe and
18 its counsel have graciously agreed to continue these hearings until October 5, 2008.

19 Third, Domain Deluxe has relied on the stipulation of Plaintiff's counsel, and so is not
20 filing its Reply today, September 12, 2008, but will instead review the new Russo declaration and
21 file the Reply on September 19, 2008, and will be severely prejudiced if the Court does not
22 consider its Reply.

23 Alternatively, the parties are amenable to any later date more convenient for the Court.

24 DATED this 12th day of September, 2008

25 NEWMAN DICHTER LLP

26
27 By: /s/ Derek Linke (w/ authorization)
28 Joel Dichter

Derek Linke
(admitted *Pro Hac Vice*)
Attorneys for Plaintiff
John A. Russo

Dated this 12th day of September, 2008

THE WILLIAMS FIRM

By: /s/ D. Alexander Floum
D. ALEXANDER FLOUM, ESQUIRE
Attorneys for Defendant DOMAIN DELUXE

ORDER

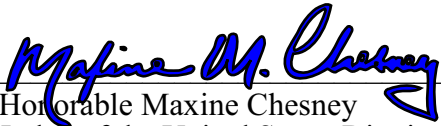
After review of this stipulation, and for good cause shown, IT IS HEREBY ORDERED
THAT times in this matter shall be extended as follows:

Plaintiff Russo's shall have until September 12, 2008 to file an additional declaration in
support of his Opposition to Domain Deluxe's Motion to Set Aside (Dkt. No. 130);

Defendant Domain Deluxe's time to file and serve its reply in support of its Motion to Set
Aside Default (Dkt. No. 128) shall be extended until September 19, 2008; and

The hearings on Plaintiff's Motion for Default Judgment (Dkt. No. 118) and on
Defendant Domain Deluxe's Motion to Set Aside Default (Dkt. No. 128) shall be continued from
September 26, 2008 to October 3, 2008.

Dated: September 15, 2008


Honorable Maxine Chesney
Judge of the United States District Court